

# **EXHIBIT H**

From : simonettl@gtlaw.com

To : cmiller@edcombs.com

Sent : 8/02/2022 5:42AM

Subject : Re: Ballard v. Navient (34715) - Rule 37 Correspondence Follow-up

I'm traveling this week, but Friday May work. I'm open except 9-12 PT. In connection with data issues, you had stated an intent to amend the complaint. Do you have a draft that we can review before a call?

Sent from my iPhone

On Aug 1, 2022, at 6:15 PM, Cassandra Miller <cmiller@edcombs.com> wrote:

?

**\*EXTERNAL TO GT\***

Lisa,

I wanted to circle back on scheduling a time to have our R37 conference regarding (1) production of emails associated with the plaintiffs and identified in the Stine deposition; (2) running the class definitions search queries (see attached); (3) scheduling the deposition of an IT person related to those queries and (4) Defendants' recent transcript designation as confidential.

Please let me know your availability this week to discuss.

Thanks.

Cassandra

Cassandra P. Miller  
Edelman, Combs, Lattuner & Goodwin, LLC  
20 S. Clark Street, Suite 1500  
Chicago, IL 60603  
(312) 739-4200  
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**From:** Cassandra Miller

**Sent:** Thursday, June 30, 2022 3:18 PM

**To:** 'simonettl@gtlaw.com' <simonettl@gtlaw.com>; mairc@gtlaw.com; Rufus Coates Welsh <rcoateswelsh@edcombs.com>; dbrier@mbklaw.com; dwalsh@mbklaw.com

**Cc:** Carly Roman <croman@edcombs.com>; anthony@fiorentinolaw.net; allenmayed@gtlaw.com; bookhardts@gtlaw.com; carlo@sabatinilawfirm.com; Rufus Coates Welsh <rcoateswelsh@edcombs.com>; Dan Edelman <dedelman@edcombs.com>

**Subject:** Ballard v. Navient (34715) - Rule 37 Correspondence

Lisa,

Now that we have completed the deposition of Jeff Stine, we think it would be a good time to circle back on our Rule 37 discussions. Please let us know your availability next week to schedule a

Rule 37 conference.

One issue that we want to revisit are the class member search queries which we previously provided. Based on last week's testimony, we anticipate making some adjustments to the search query language, however, we will need a copy of the deposition transcript before making those changes. We have been advised that we should have the transcript around July 8th-11<sup>th</sup>. In that regard, we wanted make sure Defendants did not expend additional time or resources on determining the feasibility of those searches until after we have had an opportunity to review the transcript to determine what, if any, changes need to be made. We can discuss this further during our Rule 27 meeting.

Also, we requested all correspondence between Defendants and the Plaintiffs, but to date, have not received any emails related to the Plaintiffs. Stine testified that there were emails associated with Plaintiffs' loans and specifically related to their IDR renewal applications. Please supplement your production with any correspondence not already produced, including any emails sent or received from the Plaintiffs' related to their student loans. If any such documents/correspondence are being withheld, please identify the basis for that withholding.

Finally, as you are aware, we served a subpoena on the Department of Education who recently requested that we provide a proposed stipulation similar to that agreed to by the DOE in a related case against Nelnet. Attached for your review and consideration is the agreement reached in the Nelnet litigation which we intend to use as a model for this litigation. We can discuss further at the Rule 37 conference.

We look forward to discussing these matters further at our Rule 37 meeting.

Thanks,  
Cassandra

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